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Docket No.: HEART.017C2

Customer No. 20,995

**INFORMATION DISCLOSURE STATEMENT**

Applicant	:	Richard D. Charnitski
App. No.	:	10/644,591
Filed	:	August 19, 2003
For	:	INERTIAL RESISTANCE EXERCISE APPARATUS AND METHOD
Examiner	:	Mathew, Fenn C
Group Art Unit	:	3764

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

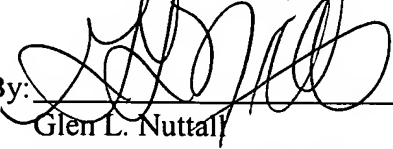
Dear Sir:

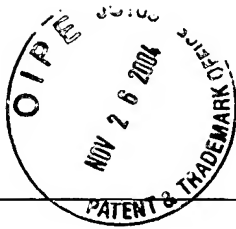
Enclosed is form PTO-1449 listing thirty eight (38) references that are of record in U.S. patent application No. 09/947,226, filed September 4, 2001, now U.S. Patent No. 6,689,024, which is the parent of this utility application, and is relied upon for an earlier filing date under 35 U.S.C. § 120. Copies of the references are not submitted pursuant to 37 C.F.R. § 1.98(d).

This Information Disclosure Statement is being filed before the receipt of a first Office Action on the merits, and presumably no fee is required in accordance with 37 C.F.R. § 1.97(b)(3). If a first Office Action on the merits was mailed before the mailing date of this Statement, the Commissioner is authorized to charge the fee set forth in 37 C.F.R. § 1.17(p) to Deposit Account No. 11-1410.

Respectfully submitted,  
KNOBBE, MARTENS, OLSON & BEAR, LLP

Dated: 11/22/04

By:   
Glen L. Nuttall  
Registration No. 46,188  
Attorney of Record  
Customer No. 20,995  
(949) 760-0404



PATENT

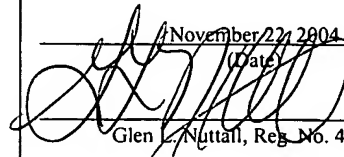
Case Docket No. HEART.017C2

Date: November 22, 2004

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Richard D. Charnitski  
Appl. No. : 10/644,591  
Filed : August 19, 2003  
For : INERTIAL RESISTANCE  
EXERCISE APPARATUS AND  
METHOD  
Examiner : Mathew, Fenn C  
Group Art Unit : 3764

I hereby certify that this correspondence and all marked attachments are being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, Mail Stop Amendment, P.O. Box 1450, Alexandria, VA 22313-1450, on

  
November 22, 2004  
(Date)  
Glen L. Nuttall, Reg. No. 46,188


TRANSMITTAL LETTER

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

Enclosed for filing in the above-identified application are:

- (X) An Information Disclosure Statement.
- (X) A PTO Form 1449 with thirty eight (38) references (none of which are enclosed).
- (X) The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment, to Account No. 11-1410.
- (X) Return prepaid postcard.

  
Glen L. Nuttall  
Registration No. 46,188  
Attorney of Record  
Customer No. 20,995  
(949) 760-0404

FORM PTO-7449 U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE INFORMATION DISCLOSURE STATEMENT BY APPLICANT (USE SEVERAL SHEETS IF NECESSARY)	ATTY. DOCKET NO. HEART.017C2	APPLICATION NO. 10/644,591
	APPLICANT Richard Chamitski	
	FILING DATE August 19, 2003	GROUP 3764

## U.S. PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE (IF APPROPRIATE)
	1	181,836	09/1876	Graham			
	2	196,435	10/23/ 1877	F.A. Clifford			
	3	Des 231,424	04/09/74	Hermann, et al.			
	4	319,686	06/1885	Farmer			
	5	517,228	03/1894	McCarthy			
	6	595,594	12/1897	Bartholomew			
	7	684,688	10/15/01	M. Herz			
	8	770,994	09/1904	White			
	9	786,552	04/1905	Duffner			
	10	975,311	11/10	Allabough			
	11	1,006,470	10/1911	Duffner			
	12	1,783,376	12/30	Duff			
	13	1,869,673	08/1932	Duff			
	14	2,518,840	08/1950	Tunstall			
	15	3,729,861	05/1973	Lemoine, Jack			
	16	3,737,162	06/73	Wood			
	17	3,785,641	01/74	Muffly			
	18	3,841,627	10/15/74	Vetter			
	19	4,003,575	01/1977	Hobbs			
	20	4,077,626	03/1978	Newman			
	21	4,077,626	03/07/78	Newman			
	22	4,231,568	11/04/80	Riley et al.			
	23	4,328,965	05/82	Hatfield			
	24	4,422,636	12/27/83	De Angeli			
	25	4,632,392	12/86	Peyton			
	26	4,714,244	12/87	Kolomayets, et al			
	27	4,844,450	07/04/89	Rodgers, Jr.			

EXAMINER	DATE CONSIDERED
*EXAMINER: INITIAL IF CITATION CONSIDERED, WHETHER OR NOT CITATION IS IN CONFORMANCE WITH MPEP 609; DRAW LINE THROUGH CITATION IF NOT IN CONFORMANCE AND NOT CONSIDERED, INCLUDE COPY OF THIS FORM WITH NEXT COMMUNICATION TO APPLICANT.	

FORM PTO-1449	U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE	ATTY. DOCKET NO. HEART.017C2	APPLICATION NO. 10/644,591
<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  (USE SEVERAL SHEETS IF NECESSARY)		APPLICANT Richard Chamitski	
		FILING DATE August 19, 2003	GROUP 3764

## U.S. PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE (IF APPROPRIATE)
	28	4,953,854	09/04/90	Pizur, Sr.			
	29	4,953,855	09/04/90	Shields			
	30	5,242,351	09/07/93	Berg, et al.			
	31	5,399,136	03/21/95	Bart			
	32	5,509,878	04/23/96	Denega, et al.			
	33	6,283,899	09/2001	Charnitski			
	34	6,689,024	02/2004	Charnitski			

## FOREIGN PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
							YES	NO
	35	0611623	06/78	SU				
	36	1405856	06/88	SU				
	37	3042430	06/82	DE				
	38	3011404	10/81	DE				

EXAMINER INITIAL	OTHER DOCUMENTS (INCLUDING AUTHOR, TITLE, DATE, PERTINENT PAGES, ETC.)	

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EXAMINER	DATE CONSIDERED
*EXAMINER: INITIAL IF CITATION CONSIDERED, WHETHER OR NOT CITATION IS IN CONFORMANCE WITH MPEP 609; DRAW LINE THROUGH CITATION IF NOT IN CONFORMANCE AND NOT CONSIDERED, INCLUDE COPY OF THIS FORM WITH NEXT COMMUNICATION TO APPLICANT.	